

Exhibit 3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE MERRILL LYNCH & CO., INC.
RESEARCH REPORTS SECURITIES
LITIGATION

: Master File No.: 02 MDL 1484 (MP)

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This document relates to:

: 02 Civ. 3042

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In Re MERRILL LYNCH & CO., INC.
EXCITE@HOME SECURITIES LITIGATION

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**STIPULATION REGARDING
LEAD PLAINTIFF**

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WHEREAS, movants Gerry Galiger, Fred Kaplan, Ronald G. Ventura and Fabio Aldeghi ("Excite Lead Plaintiffs"); Samuel Sinay, Lynne Sinay, and Mark Rosen ("Sinays"); Joseph Falzone, and Herbert Chin ("Falzone Group"); Vida Chu, Robert M. Hess, Hugh P. Lambert, John L. Roe Trust, Gene W. Schneider, and Boyd B. Thiel, Sr. ("Roe Trust"); Lowell Strate, and Georgiana Strate ("the Strate Family"); Joel Shenkel; Jon P. Jacobson; At Home Suit Group, Inc. and Gerard J. Galiger; Banque De Gestion, Tru Nguyen, James P. Rice, Carlos Vasallo Tome, and Greg Salazar; and E. Powell Miller having timely moved for appointment of lead plaintiff in the captioned consolidated action, styled In Re Merrill Lynch & Co., Inc. Excite@Home Securities Litigation, 02 Civ. 3042 (MP); and

WHEREAS, the motion for appointment of lead plaintiff and lead counsel filed by Banque De Gestion, Tru Nguyen, James P. Rice, Carlos Vasallo Tome, and Greg Salazar has been withdrawn (See Exhibit I), the parties hereto hereby agree and stipulate, by and through their undersigned counsel, as follows:

1. Based on a review of the certification forms submitted by each movant herein and attached hereto as Exhibits A-H, plaintiff Fred Kaplan has the largest financial interest of the

Kaplan Fox & Kilsheimer LLP

**CERTIFICATION OF NAMED PLAINTIFF
PURSUANT TO FEDERAL SECURITIES LAWS**

I, RON VENTURA, hereby certify and swear as follows:

1. I have reviewed a Complaint against Merrill Lynch & Co., Inc., et al, alleging violations of the securities laws and authorize its filing;

2. I am willing to serve as a representative party on behalf of a class, or to be a member of a group representing a class, including providing testimony at deposition and trial, if necessary;

3. I have not within the 3-year period preceding the date hereof sought to serve, or served, as a representative party on behalf of a class in an action brought under the federal securities laws, unless noted hereafter: Ventura v. AT&T, et al

4. The following is a description of my transactions during the class period specified in the Complaint in the common stock of Excite@Home Corporation: *please see attached filed v I*

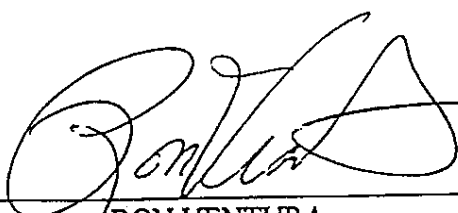
Security	Transaction	Trade Date	Price Per Share
Excite@Home Corporation	Bought _____ shares	_____	\$ _____
Excite@Home Corporation	Bought _____ shares	_____	\$ _____
Excite@Home Corporation	Sold _____ shares	_____	\$ _____

5. I did not purchase shares of Excite@Home Corporation at the direction of my counsel or in order to participate in any private action under the federal securities laws;

6. I will not accept any payment for serving as a representative party on behalf of a class beyond my pro rata share of any recovery, except as ordered or approved by the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Date: April 30, 2002



RON VENTURA

Exhibit A

Name	Principal Amount of Shares	Price Per Share	Date of Purchase	Amount of Shares Sold/Retained	Price per Share FN1	Date of Sale
Ventura, Ronald G.	4,860	\$48.104	06/04/99	3,000	\$25.780	01/21/00
	13,000	\$49.560	07/02/99	3,000	\$61.867	02/01/00
	3,000	\$47.581	07/15/99	3,000	\$69.263	02/03/00
	25,860	\$33.032	11/22/99	4,860	\$15.468	04/01/00
	3,000	\$92.196	11/22/99	13,000	\$15.468	04/04/00
	3,000	\$70.946	01/20/00	3,000	\$15.470	04/04/00
	3,000	\$62.612	02/03/00	10,000	\$21.399	05/16/00
	10,000	\$18.100	04/20/00	2,000	\$21.022	05/16/00
	2,000	\$18.100	04/20/00	8,000	\$21.112	05/16/00
	8,000	\$18.100	04/20/00	500	\$15.981	07/25/00
	3,500	\$21.851	06/22/00	34,860	\$16.012	07/25/00
	6,500	\$22.038	06/22/00	3,640	\$15.949	07/25/00
	500	\$63.889	08/07/00	25,860	\$15.949	07/25/00
	34,860	\$43.889	08/07/00	3,500	\$15.949	07/25/00
	3,640	\$43.889	08/07/00	6,500	\$15.949	07/25/00
	124,720			124,720		

FN1- The mean Closing price for Excite@home between 4/27/01 - 7/27/01 was obtained from Bloomberg.